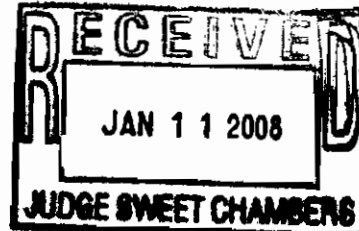


Gary Adelman (GA7138)  
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345 Avenue of the Americas, 31<sup>st</sup> Floor  
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Phone: (212) 603-6300  
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*Attorneys for Plaintiff*



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOSE ORTIZ p/k/a JAO

07 CIV 3897

Plaintiffs,

-against-

AFFIDAVIT OF  
GARY ADELMAN

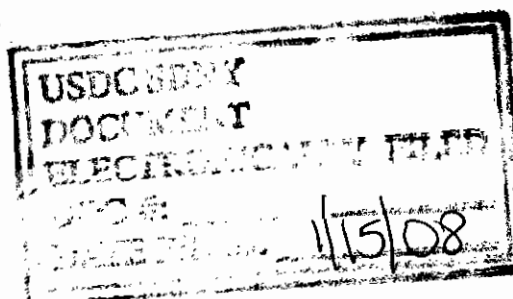
GUITIAN BROTHERS MUSIC INC., OSCAR GUITIAN,  
and, UNIVERSAL MUSIC GROUP DISTRIBUTION,  
INC.,

Defendants.

GARY ADELMAN, an attorney duly admitted to practice before the United States District Court of the Southern District, hereby submits this Affidavit in support of our request to be substituted as counsel for the Plaintiff in the above captioned action and duly affirms under the penalties of perjury that the following facts are true:

1. Until December 14, 2007 I was a member of the firm Barton Barton & Plotkin, LLP, located at 420 Lexington Avenue, Suite 1830, New York, New York 10170, with a phone number of (212) 687-6262.
2. Up to that point, I was the attorney of record in the above captioned action.

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3. I am currently a member of the firm of Robinson Brog Leinwand Greene Genovese & Gluck P.C., located at 1345 Avenue of the Americas, New York, New York 10105, with a phone number of (212) 603-6300, the new attorneys for plaintiffs in the above captioned.

4. The Plaintiff has requested that I continue to represent him at Robinson Brog Leinwand Greene Genovese & Gluck P.C., please see the signed Consent to Change Attorney annexed hereto.


5. This application is made pursuant to Civil Rule 1.4 of the Local Rules for the USDC (Southern and Eastern Districts). It is respectfully requested that the court exercise its discretion in favor of granting the instant application.

WHEREFORE, your affiant respectfully requests that an Order be entered herein granting the substitution of counsel.

Dated: New York, New York  
January 7, 2008

  
GARY ADELMAN

So Ordered:

  
Robert W. Sweet, U.S.D.C. <sup>m</sup>  
1.14.08